

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3644 of 2005

Between:

Literary Club, Kovvur, West Godavari District Regd.No.16/1975,
rep.by Manager Maddipat Adinaryana, S/o.Krishna Rao,
R/o.Vegi Vari Veedhi, Kovvur, West Godavari District.

..... PETITIONER

AND

- 1 The Superintendent of police, Eluru West Godavari District.
- 2 The Deputy Superintendent of police, Kovvur, West Godavari District.
- 3 The Inspector of police, Kovvur, West Godavari District.
- 4 The Station House officer, Kovvur Town P.S., Kovvur, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "writ of Mandamus" declaring the action of the respondents in obstructing the playing of rummy with stakes/syndicate by the members of the petitioner recreation society as arbitrary, illegal, unconstitutional and contrary to the Judgment of the Hon'ble Supreme court in state of AP, Vs., K.Satyanarayana Reported in AIR 1968 SC 825 and the Judgement of this Hon'ble court reported in 2002 (5) ALT (DB) 805 and consequently direct the respondents not to interfere with the playing of rummy with stakes / syndicate by the members of the petitioner recreation society within the recreation society premises and to pass such other order or orders as this Hon'ble court may deem fit and proper in the interest of justice.

Counsel for the Petitioner: MR.K.SARVA BHOUMA RAO

Counsel for the Respondent No.: GP FOR HOME

The Court made the following at the stage of admission:

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ORAL ORDER:

Heard the learned counsel for the petitioner and also the learned Government Pleader for Home. Perused the material placed before me.

Petitioner is a club registered under the Societies Registration Act and various activities, which are permissible under law, are being carried on by it for the recreation of its members and one of such activities is playing 13 cards (*Rammi*), with or without betting. The respondents are interfering with the lawful activity of the petitioner contrary to the law laid down by the Supreme Court as well as a Division Bench of this Court, wherein it was stated that playing 13 cards (*Rammi*) is not a game of chance, but a game of skill and with betting also it is permissible under law. Therefore, the present writ petition seeking a writ of mandamus declaring the action of the respondents in obstructing the activities of the petitioner as illegal and arbitrary.

Having regard to the facts and circumstances of the case, it is not expedient for the respondents to interfere with the activities of the petitioner, as it is contrary to the law laid down by the Apex Court as well as by this Court.

With the above observations, the writ petition is disposed of at the stage of admission. No costs.

kvsn 02-03-2005

To

- 1 The Superintendent of police, Eluru West Godavari District.
- 2 The Deputy Superintendent of police, Kovvur, West Godavari District.
- 3 The Inspector of police, Kovvur, West Godavari District.
- 4 The Station House officer, Kovvur Town P.S., Kovvur, West Godavari District.
- 5 Two copies to the G.P. for Home, High Court buildings, Hyderabad.
- 6 Two CDs.